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Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands

Preamble. The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

Whereas, certain real estate authorized for conveyance by this resolve falls under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Conservation may sell or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

Sec. 1 Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Damariscotta, Lincoln County.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for fair market value or for exchange of land or interests in land of comparable market value, and on such other terms and conditions as the director may direct, convey any portion of the 4 1/2-acre Shell Heaps Lots, so-called, in Damariscotta, recorded in the Lincoln County Registry of Deeds in Book 650, Page 362. The conveyance may come only with the written approval of the Director of the Maine Historic Preservation Commission and any required approvals by heirs of the donor of the parcel or required approvals by a court of law. The conveyance may occur only in order to advance a plan for recreational trail development on adjacent parcels of land. The conveyance may be to any party; and be it further

Sec. 2 Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Van Buren, Aroostook County.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant convey one crossing easement across the Bangor and Aroostook Trail, so-called, for fair market value and on such terms and conditions as the director may direct including maintenance and safety obligations and responsibilities. The easement may be granted to any party and may be to benefit any property, including but not limited to property currently controlled by Mid-Ozarks Investments, LLC, located on the Lake Road in the Town of Van Buren; and be it further

Sec. 3 Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in the Town of Brownville, Piscataquis County.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant convey access rights either by fee or easement over an old woods road and portions of other lands owned by the bureau, for fair market value, and on such other terms and conditions as the director may direct, including maintenance and safety obligations and responsibilities. The lands owned by the bureau, a portion of which may be conveyed, consist of approximately 20 acres

consisting of an old gravel pit and woods road and other lands adjacent to the Katahdin Iron Works Multi-use Trail off Front Street in the Town of Brownville, recorded in the Piscataquis County Registry of Deeds in Book 1577, Page 267. The easement may be granted to any party and may be to benefit any property, including but not limited to property currently controlled by abutter Paul Foulkes or his successors or assigns; and be it further

Sec. 4 Director of Bureau of Parks and Lands authorized, but not directed, to convey certain minority interests in land in T12 R17 WELS, Aroostook County.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for fair market value, and on such other terms and conditions as the director may direct, convey any and all minority interests in common undivided interests in lands owned by the Bureau of Parks and Lands in T12 R17 WELS to any party, which minority common undivided interests are estimated to be approximately 1,006 acres unlocated; and be it further

Sec. 5 Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in T5 R13 WELS, Chesuncook Township, Piscataquis County.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release a parcel of land to Bruce Bailey as the Successor Trustee of the Bailey Family Trust, such land described in a boundary survey performed by AMES A/E entitled, "Bailey, Surprenant, State of Maine, and Piscataquis County - Final Disposition Plan" dated September 11, 2007 and revised March 4, 2008. The parcel contains approximately 12/100 of an acre and is a portion of those premises conveyed by Ansel B. Smith, et al., to James Henderson by deed recorded on August 8, 1927 in Book 228, Page 94 in the Piscataquis County Registry of Deeds. Said parcel is also a portion of those premises conveyed by Peter Simmons a/k/a Peter E. Simmons, Trustee of the Simmons Trust, to Bruce W. Bailey, Successor Trustee of the Bailey Family Trust, by deed dated May 7, 2006 and recorded in Book 1744, Page 243 in the Piscataquis County Registry of Deeds; and be it further

Sec. 6 Director of Bureau of Parks and Lands authorized, but not directed, to convey certain interests in land in T5 R13 WELS, Chesuncook Township, Piscataquis County.

Resolved: That the Director of the Bureau of Parks and Lands within the Department of Conservation may by quitclaim deed without covenant, for negotiated value, and on such other terms and conditions as the director may direct, convey or release a parcel of land to the government of Piscataquis County, such land described in a boundary survey performed by AMES A/E entitled, "Bailey, Surprenant, State of Maine, and Piscataquis County - Final Disposition - Main Street Chesuncook Village" dated September 11, 2007 and revised March 4, 2008. The parcel contains approximately 63/100 of an acre and is a portion of the property conveyed by Ansell Smith to the Inhabitants of the Plantation of Chesuncook by deed dated August 30, 1924, and recorded in Book 218, Page 310 in the Piscataquis County Registry of Deeds; and Great Northern Nekoosa Corp. to the State of Maine by deed dated November 12, 1975 and recorded in Book 434, Page 486 in the Piscataquis County Registry of Deeds. The parcel also contains portions of those premises reserved in a deed from the heirs of Ansell Smith to Great Northern Paper Company dated December 1, 1929 and recorded in Book 234, Page 358 in the Piscataquis County Registry of Deeds.

SUMMARY

This resolve allows the Department of Conservation, Bureau of Parks and Lands to sell or swap a portion of the Shell Heaps Lots in the Town of Damariscotta, with the concurrence of the Maine Historic Preservation Commission, in order to advance a plan for recreational trail development on adjacent parcels.

The resolve allows the Bureau of Parks and Lands to sell an access easement crossing the Bangor and Aroostook Trail in the Town of Van Buren.

The resolve allows the Bureau of Parks and Lands to sell an easement or sell a fee portion to an abutter of a parcel of land owned by the Bureau of Parks and Lands in the Town of Brownville near the Katahdin Iron Works Multi-use Trail.

The resolve allows the Bureau of Parks and Lands to sell its minority common undivided interests in land in T12 R17 in Aroostook County.

The resolve allows for the resolution of a boundary dispute in Chesuncook Village in Piscataquis County by allowing the Bureau of Parks and Lands to transfer a fraction of an acre each to Piscataquis County and to an abutter.